

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS - SOLID WASTE & RECYCLING

DATE: NOVEMBER 4, 2010

COMMITTEE MEMBERS PRESENT:

SUPERVISORS BELDEN
BENTLEY
STEC
MERLINO
CHAMPAGNE
LOEB
MCCOY
CONOVER

OTHERS PRESENT:

JEFFERY TENNYSON, SUPERINTENDENT OF PUBLIC WORKS
TOD BEADNELL, DEPUTY SUPERINTENDENT OF OPERATIONS
REPRESENTING R.S. LYNCH & COMPANY, INC.

STEVE LYNCH
MARK CARPENTER

FREDERICK MONROE, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ATTORNEY/ADMINISTRATOR
JOAN SADY, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER

COMMITTEE MEMBER ABSENT:

VACANT - TOWN OF THURMAN

SUPERVISORS TAYLOR
THOMAS
EVELYN WOOD, TOWN OF THURMAN SUPERVISOR-ELECT
DON LEHMAN, *THE POST STAR*
THOM RANDALL, *ADIRONDACK JOURNAL*
AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

Mr. Belden called the meeting of the Public Works Committee to order at 10:00 a.m.

The purpose of the meeting was to discuss the draft Solid Waste Management Plan (SWMP) developed by R.S. Lynch & Company, Inc., Mr. Belden announced, and he thanked everyone for attending.

Privilege of the floor was extended to Jeffery Tennyson, Superintendent of Public Works, who began by introducing Tod Beadnell, Deputy Superintendent of Operations, and noting that Mr. Beadnell would be involved in implementing the SWMP once it was adopted. He then advised that Steve Lynch and his associate Mark Carpenter, both of R.S. Lynch & Company, Inc., were in attendance to discuss the draft Plan.

Mr. Champagne stated that, having been involved with solid waste operations at the Committee level for many years, he felt the draft SWMP was very interesting and achieved the majority of the goals set when the decision was first made to contract with Mr. Lynch's firm for its development. He added it was very complete and thorough in terms of historical events and in revealing the steps necessary to implement the Plan, as well as to receive NYSDEC (New York State Department of Environmental Conservation) approval. Mr. Champagne concluded his statements by congratulating Mr. Lynch and his staff for a job well done.

Mr. Lynch advised the version of the SWMP that had been distributed was in its draft form and contained some items currently considered confidential. He expounded the draft Plan was their attempt to develop a procedural document for the County, any facet of which could be changed to reflect their preferred methods. Mr. Lynch said the draft SWMP reflected his firm's understanding of the County's desire to avoid the introduction of a large, expensive, County managed solid waste system that would be imposed upon the Towns, in favor of a flexible, low-cost program that would meet the needs of the County's municipalities. He apprised that in developing the Plan they had attempted to include some of the management facets desired by NYSDEC, but noted that it was not necessary to satisfy these desires, only to address them in some manner. Mr. Lynch counseled that upon submitting the Plan to NYSDEC, they should fully expect to receive return comments seeking additional recycling, waste reduction and more expensive management programs, which they could deliberate on at a later date but were not

obligated to implement.

Mr. Lynch said the draft would be altered to include any changes sought by the Committee, then would be submitted to NYSDEC for their review and comments, following which a 45-day window for public comment would be provided and any suggestions made by County residents could be considered for revision or inclusion in the SWMP. Finally, he noted, the SWMP in its final form would be presented to the Board of Supervisors for adoption by resolution. Mr. Lynch said their goal was for the Plan to be adopted by the close of 2010, but indicated there would be no repercussions from NYSDEC if this deadline was not met. Mr. Carpenter interjected that as long as NYSDEC was aware they were working on the Plan, they would have no issue with the missed deadline. Mr. Lynch apprised the only enforcement authority held by NYSDEC was their ability to refuse permitting for a new solid waste facility if the SWMP was not in place at the time a permit was sought, and he did not feel this would be an issue for the County as they would not be seeking permits of this nature until at least mid-2011 when it was needed for the Burn Plant facility. He advised they were diligently working on the Plan and felt the matter would be concluded by the end of the year, or closely thereafter.

Mr. Champagne noted that it would behoove the County to complete and adopt the SWMP as quickly as possible because an NYSDEC approved Plan would be necessary if they decided to ship waste out of the County to another landfill.

A brief review of the draft SWMP proceeded, prior to which Paul Dusek, County Attorney/Administrator, noted that copies of the draft Plan would be available to members of the public with the confidential information redacted (pages 71 - 80). *Note: A copy of the draft SWMP with the confidential information redacted is on file with the minutes.*

Mr. Champagne pointed out that the Plan discussed districting and licensing options and he questioned whether these would be implemented on a County-wide basis, to which Mr. Lynch responded that the Plan suggested the County administer an RFP (request for proposal) on behalf of all the Towns for transportation and disposal of residual waste, at which point each Town could opt in or out of the resulting contract. Mr. Dusek said he was under the impression that districting and waste franchising issues were left to the Towns and were not County issues; Mr. Lynch advised this was correct.

With respect to a question posed on the specifics of hauler licensing, Mr. Lynch explained this could be made a requirement within the SWMP, mandating that the hauler offer either single or dual stream recycling depending upon the preference of the County; he added that the Plan suggested these determinations be made on a Town by Town basis, making it more flexible.

Mr. Champagne asked if it was necessary to identify the procedure they wished to follow before seeking NYSDEC approval or whether they would approve the Plan based on further discussion and resolution. Mr. Lynch clarified that the current Plan identified the procedure as being that the County would administer an RFP for waste removal and that each of the Towns would independently determine if they wished to participate, but did not require the County to implement them. He further clarified that the County would be responsible for only solicitation services.

Referring to the section beginning on page 57 of the draft SWMP concerning Green Procurement, Mr. Dusek said that while he was in favor of instituting more environmentally friendly solutions for waste management, he was concerned that these efforts might come at a much greater cost to the County and he asked whether it was possible to implement some, but not all of these efforts in order to reduce costs. Mr. Carpenter replied affirmatively, advising that the language included in the SWMP could be changed to indicate these measures were optional. Mr. Lynch noted that although the procurement of more environmentally friendly services could be more expensive, his

experience was that some Towns would be willing to pay the higher cost, while others would be hesitant to do so. He advised the position on this matter should be determined individually by each Town and reiterated these measures were not mandated, but offered for the consideration of each municipality and the wording in the SWMP would be changed to reflect this.

Mr. Loeb noted that although each individual Town would be allowed to make their own decisions on participation, he felt it was sensible to include as many Counties as possible in the SWMP to increase their chances of gaining the lowest possible price for the waste removal services sought.

In response to an inquiry made by Mr. Merlino, Mr. Lynch apprised the Plan suggested the County manage a household hazardous waste program, noting that the necessary removal services could be gained from a private firm that would collect the waste products and pay the County for them. Additionally, he said they could implement a plan that would charge residents to dispose of household hazardous waste, or choose to fund the operation through the County Budget. Mr. Lynch advised that although they were suggesting the County implement a household hazardous waste program, the way in which it would be run was to be determined by the County. Mr. Merlino noted that the Town of Lake Luzerne had a contract for metal waste pickup which required the contractor to retrieve the waste once per month and pay the Town based on the amount collected. He said that although they did not make a lot of money on this venture, collection services were provided at no cost to the Town.

Discussion ensued.

Mr. Belden apprised that the Town of Hague used a single stream recycling process through Cassella Waste Management which was fairly inexpensive and he suggested the other Towns look into that option, as well. Mr. Lynch advised the contract was used to address waste brought to the Town landfill, but did not cover waste picked up at residential and commercial locations by individual haulers. He said that in these cases, the chosen haulers might not be using any type of recycling process; however, he added, this matter could be addressed by requiring hauler licensing and specifying the level of recycling services desired.

Mr. Champagne reiterated his approval of the draft SWMP and suggested that copies be distributed to all members of the Board of Supervisors for their review, with a second meeting to be held in 30 days for further comment or suggestion. He said that if each Town reviewed and approved the Plan, they would have a clear path to follow for the implementation process.

Mr. Dusek pointed out that the report indicated only an 11% recycling rate based on information received from the Town of Johnsburg and he expressed his concern that there might be some difficulty gaining NYSDEC approval due to the low rate. Mr. Lynch responded that the rate submitted by the Town of Johnsburg was used because it was the only Town in Warren County that provided both waste removal and recycling services to the entire Town. The recycling figures reported on a County-wide basis were skewed, he noted, because the manner in which recycled materials were accounted for differed based on the municipality. Mr. Lynch concluded that NYSDEC was aware of these irregularities and did not give the recycling rate provided much weight when making their determinations.

Chairman Monroe questioned whether the Plan included any verbiage relating to the use of a re-use center where residents could bring in items they no longer wanted for other residents seeking them. He said the Town of Chester had a similar facility in place and although it incurred a minimal expense, Chester residents felt it was a considerable benefit and used it often. Mr. Lynch replied that suggestions relative to this matter were included in the Plan, along with the indication that the centers should be implemented and managed by each individual Town at their discretion.

When questioned as to whether a motion was needed to accept the draft SWMP, Mr. Dusek advised there were still revisions to be made before this action could take place. He then recommended that they proceed with Mr. Champagne's suggestion to distribute copies to all members of the Board of Supervisors for their review and meet again in the future to discuss any further changes. Mr. Lynch agreed that this was the correct manner in which to proceed, noting that all changes to the draft document would be highlighted for easy review and confirmation. As the Committee was in agreement with this recommendation, it was determined that the matter should be discussed again once all members of the Board of Supervisors had reviewed the SWMP document.

There being no further business to come before the Committee, on motion made by Mr. McCoy and seconded by Mr. Conover, Mr. Belden adjourned the meeting at 11:19 a.m.

Respectfully submitted,
Amanda Allen, Sr. Legislative Office Specialist